

a drill guide having at least two generally parallel bores
a distal end, and a barb on the distal end of the drill guide,

a suture pusher having a straight section extendable through a first one of the bores in the drill guide and a suture carrying member at the distal end of the suture pusher, the suture carrying member pivotable to push a suture loop through soft bone material between first and second parallel holes in the bone, the suture carrying member including an opening for receiving a suture,

an actuator positioned at the proximal end of the suture pusher, for pivoting the suture carrying member from the first to the second of the two parallel holes while the suture pusher is received in the drill guide, and

a suture-retriever extendable through a second one of the bores in the drill guide, for retrieving a portion of the suture from the second of the two parallel holes in the bone.

REMARKS

Claims 7 - 14 are pending.

Applicants appreciate the Examiner's indication that Claims 7 - 12 are allowable.

Claims 13 - 14 have been rejected under § 101 as claiming the same invention as claimed in U.S. 5,637,112. Claim 13 has now been amended to recite that the drill guide includes a barb on its distal end. Claim 14 is dependent on Claim 13. Given that the claims of the '112 do not recite the combination of features recited in Claims 13 and 14, the double patenting rejection has been overcome.

In view of the amendment to Claim 13, and the Examiner's indication that Claims 7 - 12 are allowed, all claims are now in

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